

Serial Number: 09/370,358

the above amendments to the claim.

Claims 1 through 13 and 15 through 17 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. This rejection has been obviated by the above amendments to the claims.

Claims 10 through 13 and 15 through 17 are rejected under 35 U.S.C. § 112, first paragraph, as not being enabled. This rejection has been obviated by the above amendments to the claims.

Claims 1 through 5, 10 and 15 are rejected under U.S.C. § 102(b) as being anticipated by Robeva. This rejection is respectfully traversed with respect to the claims as currently presented.

At a minimum, Robeva fails to teach the use of (1) a bead substrate and (2) a flow cytometer, as claimed in claim 1. Thus, Robeva fails to teach all of the elements of claim 1. Therefore, Robeva does not anticipate claim 1.

Claims 2 through 5, 10 and 15 depend directly or indirectly from claim 1, and, accordingly, include the patentable features of claim 1 as well as other patentable features. Therefore, claims 2 through 5, 10 and 15 are patentable over Robeva for at least the reasons discussed above with respect to claim 1. Applicants therefore respectfully request the withdrawal of the rejection of claims 1 through 5, 10 and 15.

Claims 6 through 8 are rejected under U.S.C. § 103(a) as being unpatentable over Robeva, in view of Jones. This rejection is respectfully traversed with respect to the claims as currently presented.

Serial Number: 09/370,358

At a minimum, Robeva and Jones fail to teach or suggest the use of a flow cytometer, as claimed in claim 1. Claims 6 through 8 depend directly or indirectly from claim 1, and, accordingly, include the patentable features of claim 1 as well as other patentable features. Therefore, claims 6 through 8 are patentable over Robeva and Jones for at least the reasons discussed above with respect to claim 1. Thus, Robeva and Jones fail to teach or suggest all of the elements of claim 6 through 8. Therefore, Robeva and Jones do not render claims 6 through 8 obvious. Applicants therefore respectfully request the withdrawal of the rejection.

Claims 12 and 13 are rejected under U.S.C. § 103(a) as being unpatentable over Robeva, in view of Jones and Jayawickreme. This rejection is respectfully traversed with respect to the claims as currently presented.

At a minimum, Robeva, Jones and Jayawickreme fail to teach or suggest the use of (1) a bead substrate and (2) a flow cytometer, as claimed in claim 1. Claims 12 through 13 depend directly or indirectly from claim 1, and, accordingly, include the patentable features of claim 1 as well as other patentable features. Therefore, claims 12 and 13 are patentable over Robeva, Jones and Jayawickreme for at least the reasons discussed above with respect to claim 1. Thus, Robeva, Jones and Jayawickreme fail to teach or suggest all of the elements of claim 12 and 13. Therefore, Robeva, Jones and Jayawickreme do not render claims 12 and 13 obvious. Applicants therefore respectfully request the withdrawal of the rejection.

Claims 9, 11, 16 and 17 are rejected as being unpatentable under U.S.C. § 103(a) as being unpatentable over Robeva, in view of Szollosi. This rejection is respectfully traversed with respect to the claims as currently presented.

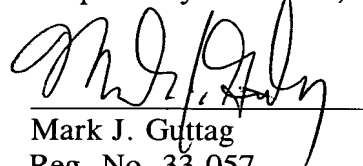
At a minimum, Robeva and Szollosi fail to teach or suggest the use of a bead substrate, as claimed in claim 1. Claims 9, 11, 16 and 17 depend directly or indirectly

Serial Number: 09/370,358

substrate, as claimed in claim 1. Claims 9, 11, 16 and 17 depend directly or indirectly from claim 1, and, accordingly, include the patentable features of claim 1 as well as other patentable features. Therefore, claims 9, 11, 16 and 17 are patentable over Robeva and Szollosi for at least the reasons discussed above with respect to claim 1. Thus, Robeva and Szollosi fail to teach or suggest all of the elements of claims 9, 11, 16 and 17. Therefore, Robeva and Szollosi do not render claims 9, 11, 16 and 17 obvious. Applicants therefore respectfully request the withdrawal of the rejection.

In view of the foregoing, it is respectfully submitted that this application is now in condition for allowance, and favorable action is respectfully solicited.

Respectfully submitted,



Mark J. Gutttag
Reg. No. 33,057

Jagtiani + Gutttag
Democracy Square Business Center
10379-B Democracy Lane
Fairfax, Virginia 22030
703-591-2664

November 28, 2001